

IN THE DISTRICT COURT OF THE UNITED STATES
DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

UNITED STATES OF AMERICA)	CRIMINAL NO: 5:04-885
)	
vs.)	
)	
JOE ROGER MOULTRIE)	
)	

AMENDED CONSENT MOTION FOR REDUCTION OF SENTENCE

NOW COMES the parties, by and through their undersigned counsels, and pursuant to Rule 35(b) of the Federal Rules of Criminal Procedure, moves this Court for a reduction of the defendant's sentence imposed on August 2, 2005. The defendant was sentenced to a term of 262 months incarceration followed by 10 years of supervised release and a \$100 special assessment. This sentence was based upon a criminal history category of VI and offense level of 34. The Government is prepared to show that the defendant has provided unrewarded substantial assistance to the Government which conforms to the guidelines and policy statements issued by the United States Sentencing Commission pursuant to Title 28, United States Code, Section 994.

Following his arrest and conviction, **MOULTRIE** continued to cooperate with the Government concerning his knowledge of ongoing criminal activity. The information provided by **MOULTRIE** has started and furthered other investigations into criminal activity. Based upon this information, several defendants pled guilty prior to trial. **MOULTRIE** also testified at the trial of another defendant.

Wherefore, the parties move that this Honorable Court consider this motion for reduction of sentence pursuant to Rule 35(b) as herein requested in the case of JOE ROGER **MOULTRIE** and reduce his sentence by 8 levels.

Respectfully submitted,

KEVIN F. MCDONALD
ACTING UNITED STATES ATTORNEY

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William K. Witherspoon (FID # 5945)
Assistant United States Attorney

s/ John A. O'Leary
John A. O'Leary, Esquire
Attorney for Defendant

s/ Joe R. Moultrie
Joe Roger Moultrie
Defendant

March _____, 2010

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